

Docket No.: 15115/182001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hirokazu Tanaka et al.

22511

PATENT TRADEMARK OFFICE

Application No.: 10/566,828

Confirmation No.: 7880

Filed: January 31, 2006

Art Unit: N/A

For: VARIABLE LIGHT ATTENUATOR

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements – Filing Date Granted mailed May 25, 2006, Applicant respectfully submits a Supplemental Application Data Sheet, Drawing(s) (45 figures, 36 pages), and Part 2 Copy of Notice.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in

Application No.: 10/566,828

Docket No.: 15115/182001

this application by this firm) to our Deposit Account No. 50-0591, under Order No. 15115/182001.

Dated: July 5, 2006

Respectfully submitted,

By 

Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

RECEIVED

Page 1 of 2

MAY 30 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

OSHA • LIANG LLP

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

| | | |
|--|-----------------------|-------------------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/566,828 | Hirokazu Tanaka | 15115/182001 |
| | | INTERNATIONAL APPLICATION NO. |
| | | PCT/JP04/10111 |
| | | I.A. FILING DATE PRIORITY DATE |
| | | 07/15/2004 07/31/2003 |
| CONFIRMATION NO. 7880 | | |
| 371 FORMALITIES LETTER | | |
|  *OC000000018932524* | | |

22511
 OSHA LIANG L.L.P.
 1221 MCKINNEY STREET
 SUITE 2800
 HOUSTON, TX 77010

Docketed Action:
 New Previously Non Required
 Docket Number: 15115/182001
 Attorney Initials: JPO/JPO
 Docketing Initials: MHD

Date Mailed: 05/25/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/31/2006
- English Translation of the IA filed on 01/31/2006
- Copy of the International Search Report filed on 01/31/2006
- Information Disclosure Statements filed on 01/31/2006
- Oath or Declaration filed on 01/31/2006
- Request for Immediate Examination filed on 01/31/2006
- U.S. Basic National Fees filed on 01/31/2006
- Assignment filed on 01/31/2006
- Priority Documents filed on 01/31/2006
- Specification filed on 01/31/2006
- Claims filed on 01/31/2006
- Abstracts filed on 01/31/2006
- Drawings filed on 01/31/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - The text in the drawings has not been properly translated.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/566,828 | PCT/JP04/10111 | 15115/182001 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

22511

PATENT TRADEMARK OFFICE

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|--|------------------------|
| Application Number | 10/566,828-Conf. #7880 |
| Filing Date | January 31, 2006 |
| First Named Inventor | Hirokazu Tanaka |
| Art Unit | N/A |
| Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 15115/182001 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | Application Data Sheet |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Drawing(s) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Part 2 Copy of Notice |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | Return Receipt Postcard |
| <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Remarks | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | OSHA-LIANG LLP | | |
| Signature |  | | |
| Printed name | Jonathan P. Osha | | |
| Date | July 5, 2006 | Reg. No. | 33,986 |

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV804241128US in an envelope addressed to:

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22511

PATENT TRADEMARK OFFICE

on July 5, 2006
Date



Signature

Kim Hennessey

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)
Fee Transmittal (1 page)
Charge \$130.00 to credit card
Response to Notification of Missing Requirements (2 pages)
Copy of Notification (2 pages)
Drawing(s) (45 figures, 36 pages)
Supplemental Application Data Sheet (3 pages)
Postcard

22511

PATENT TRADEMARK OFFICE

PTO/SB/17 (01-06)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)
Complete if Known

| | |
|----------------------|------------------------|
| Application Number | 10/566,828-Conf. #7880 |
| Filing Date | January 31, 2006 |
| First Named Inventor | Hirokazu Tanaka |
| Examiner Name | Not Yet Assigned |
| Art Unit | N/A |
| Attorney Docket No. | 15115/182001 |

METHOD OF PAYMENT (check all that apply)

| | | | | |
|--|---|--------------------------------------|-------------------------------|---|
| <input type="checkbox"/> Check | <input checked="" type="checkbox"/> Credit Card | <input type="checkbox"/> Money Order | <input type="checkbox"/> None | <input type="checkbox"/> Other (please identify): _____ |
| <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 50-0591 Deposit Account Name: Osha · Liang LLP | | | | |

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

| | |
|---|---|
| <input type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments |

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> | | <u>SEARCH FEES</u> | | <u>EXAMINATION FEES</u> | | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|---------------------|--------------------|---------------------|-------------------------|---------------------|-----------------------|
| | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Small Entity

Fee (\$) 50 25

Each independent claim over 3 (including Reissues)

Fee (\$) 200 100

Multiple dependent claims

Fee (\$) 360 180

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|-----------------|----------------------|
| 16 | - 20 = | x | = |

Multiple Dependent Claims

Fee (\$) Fee Paid (\$)

HP = highest numner of total claims paid for, if greater than 20.

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| 1 | - 3 = | x | = |

HP = highest numner of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

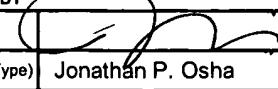
| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 = | /50 | (round up to a whole number) x | = | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1618 National Stage English translation after thirty ... 130.00

SUBMITTED BY

| | | | | | |
|-------------------|---|--------------------------------------|--------|--------------|----------------|
| Signature |  | Registration No. (Attorney/Agent) | 33,986 | Telephone | (713) 228-8600 |
| Name (Print/Type) | Jonathan P. Osha | | Date | July 5, 2006 | |

07/12/2006 GFREY1 00000092 10566828

01 FC:1617

130.00 DP